IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 7TH DECEMBER 2007 / 16TH AGRAHAYANA 1929

RP.No. 384 of 2007(G)

AGAINST THE JUDGEMENT/ORDER IN WPC.27362/2003 Dated 15/11/2006
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: REVIEW PETITIONER/PETITIONER IN W.P(C)

MOHAMMED SHAJAHAN THAMPY,
PRADEEP NIVAS, NEAR C.V.HIGH SCHOOL,
DHOBIGHAT, SHABAD THANA, MAHARASHTRA.

BY ADV. SRI.P.A.AUGUSTIAN

RESPONDENTS: RESPONDENTS IN W.P(C)
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1. THE CHAIRMAN, COCHIN PORT TRUST,
WILLINGDON ISLAND, KOCHI - 682 009.

2. THE COMMISSIONER OF CUSTOMS,
CUSTOM HOUSE, WILLINGTON ISLAND,
KOCHI - 682 009.

BY ADV. SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.JOHN VARGHESE, ASSISTANT SG
SMT.PRIYA MAHESH
SMT.PRIYA MANJOORAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 07/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH J.

Review Petition No.384 of 2007
in
W.P.(C) No.27362 of 2003

Dated 7th December, 2007.

O R D E R

This is a petition to review the judgment dated 15.11.2006 in W.P.(C) No.27362/03. The writ petition was dismissed observing that the issue regarding fixation of tariff for demurrage charges is covered against the petitioner by the judgment of the Supreme Court in **International Airports Authority of India v. Grand Slam International** (1995 (77) E.L.T. 753). The decision dealing with the case is reported in **Shipping Corporation of India Ltd. v. C.L.Jain Woolen Mills** (2001(129) E.L.T. 561 (S.C.). Therefore, the Review Petition is allowed and the judgment dated 1511.2006 in W.P.(C) No.27362/03 is recalled.

Post the writ petition for hearing on 4.1.2008.

KURIAN JOSEPH, JUDGE.

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